

## THE CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
August 11, 2015  
7:00 p.m.

### Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger III, Rich Lintz, and Ira Berkowitz.

Mayor Sanger  
City Manager Owens  
City Attorney O'Keefe

**Alderman Boulton moved to approve the July 28, 2015 minutes. Alderman Winings seconded.**

**The motion to approve the minutes passed unanimously on a voice vote.**

### PUBLIC REQUESTS AND PETITIONS

None

### AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH KRUPP CONSTRUCTION FOR THE FY15 RESURFACING PROJECT

City Manager Owens reported that the Public Works Department is requesting approval of a construction contract for the FY15 Resurfacing Project. In 2014, Horner and Horner & Shifrin, Inc. were hired to complete the design of the project.

This project will include the replacement of curb ramps that do not meet ADA requirements, the replacement of substandard curb and gutter, base repair where necessary, and the removal and replacement of two inches of asphalt surface.

Bids were opened on July 31, 2015. The City received three bids with Krupp Construction submitting the lowest responsive, responsible base bid in the amount of \$1,664,335.10. The final engineer's estimate for this work was \$1,773,129.00, so the bid came in under the final estimate. Staff is not recommending accepting the alternate bid for base repair as the bid prices were higher than expected and last year no base repair was needed in Claverach Park and only 143 square yards were needed on Wydown Boulevard. The second lowest bid came from Ford Asphalt, at \$1,700,000.00, only 2.1% higher than Krupp's.

The Capital Improvement Fund has \$5,130,000 (\$3,514,050 for this portion of the project) budgeted for this activity in FY 2015

City Staff recommends approval of the construction contract with Krupp Construction for the base bid value of \$1,664,335.10. In addition to the contract amount, the City Staff requests authorization to approve change orders in an amount not to exceed \$165,000, which is approximately 10% of the project cost. This contingency would be used to cover expenditures to correct unknown site issues that become apparent during the project.

Recommendation is to approve the ordinance authorizing a contract with Krupp Construction in the amount of \$1,664,335.10, plus a contingency of \$165,000 for the FY15 Resurfacing Project.

With regard to the contract, Alderman Berkowitz asked if the contractor is expected to repair work that was done incorrectly after the project is completed (i.e. streets buckle, pot holes, etc.); adding if this should be stipulated in the contract agreement.

City Manager Owens stated that the City has elements in place where the City engineers will not approve the construction until after it is thoroughly inspected. He added that the City engineers are literally on the site during the construction process.

City Manager Owens also noted that Federal contracts do not allow warranties to be included in the contracts. Alderman Berkowitz referenced the brick print project as an example. In the case of the brick print project the contractor was brought back to make those repairs.

Dale Houdeshell commented that the same specifications were used last year on the paving projects.

In response to Alderman Berger's questions, Dale Houdeshell explained that the southeast and northwest areas of the city are the target areas.

Dale Houdeshell stated that Alderman Berger is correct in the timeline for Maryland Avenue – 2018, 2019 and 2020.

Dale Houdeshell explained that the crosswalks in the Central Business District are currently being patched instead of replaced or repaired due to the current construction activity.

**Alderman Garnholz introduced Bill No. 6510, an ordinance to approve a contract with Krupp Construction for the FY2015 Resurfacing Project to be read for the first time by title only. Alderman Winings seconded.**

**City Attorney O'Keefe reads Bill No. 6510, an Ordinance approving a Contract with Krupp Construction for the FY2015 Resurfacing Project for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Garnholz moved that the Board give unanimous consent to consideration for adoption of Bill No. 6510 on the day of its introduction. Alderman Winings seconded.**

**The motion passed unanimously on a voice vote.**

**Alderman Garnholz introduced Bill No. 6510, an ordinance to approve a contract with Krupp Construction for the FY2015 Resurfacing Project to be read for the second time by title only. Alderman Winings seconded.**

**City Attorney O'Keefe reads Bill No. 6510, an Ordinance approving a Contract with Krupp Construction for the FY2015 Resurfacing Project for the second time by title only.**

**Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; Alderman Berkowitz – Aye; and Mayor Sanger – Aye. The bill was adopted and became Ordinance No. 6380 of the City of Clayton.**

#### **FINDINGS, CONCLUSIONS AND DETERMINATION OF APPEAL – 7700 DAVIS DRIVE (CENTRAL PRESBYTERIAN CHURCH)**

City Manager Owens stated that this is a report to accept the Findings, Conclusions, and Determination of the Appeal with regard to 7700 Davis Drive.

**Alderman Garnholz moves to accept the Findings, Conclusions and Determination of the Appeal for the sign permit for 7700 Davis Drive. Alderman Winings seconded.**

**The motion passed unanimously on a voice vote.**

Other

Alderman Garnholz thanked the Police Department for their professional manner in handling the public on the anniversary of Michael Brown's death.

Alderman Winings reported that the Plan Commission/ARB meeting was cancelled due to a lack of a quorum.

Alderman Boulton reported that the Uniformed Employees' Retirement Board meeting was cancelled also due to a lack of a quorum.

Alderman Lintz reported that the Clayton Century Foundation met and adopted their (revised) ByLaws.

Alderman Berkowitz reported that he vacationed in Boston and their city has a lot to offer - ideas, very vibrant and "alive." He offered to share those ideas with the Board at a future meeting.

Mayor Sanger reported that he recently visited the Burger Barn restaurant in Ferguson – the food was very good and encouraged the Board to visit the establishment in the future.

There being no further business the meeting was adjourned at 7:18 p.m.

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Mayor

ATTEST:

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City Clerk